

Amendment No. 1 to HB0476

Howell
Signature of Sponsor

AMEND Senate Bill No. 354*

House Bill No. 476

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-198(f), is amended by deleting the subsection and substituting instead the following:

(f)

(1) Surveillance cameras are not permitted on federal interstate highways except for:

(A) Smart Way cameras;

(B) Other intelligent transportation system cameras; or

(C) Surveillance cameras used to enforce or monitor traffic violations within work zones designated by the department of transportation when employees of the department or construction workers are present; provided, that the cameras are operated only by a state entity.

(2) Notwithstanding subdivision (f)(1), in accordance with applicable state and federal laws governing the use and management of highway rights-of-way and subject to the approval of the federal highway administration as required by federal law, the department of transportation is authorized, but not required, to permit the installation of surveillance cameras operated by law enforcement agencies on federal interstate highways and state roads as a non-highway use of the highway right-of-way for the purpose of aiding in criminal investigations to the extent that such use is consistent with the continued use, operations,

maintenance, and safety of the highway facility and does not interfere with the free and safe flow of traffic; provided, that these cameras are not used to enforce or monitor state or local traffic violations or issue citations for such violations.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.